

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**JOSEPHINE COKER, CHARLIE
CRISS, AND ROSE PURNELL,**

VS.

PLAINTIFFS,

CIVIL ACTION NO. 4:07CV100-P-B

**MERCK & COMPANY, INC.;
MISTY AUSTIN, ANDREA ELIZABETH
BEAVERS, DAN SHEALS, WILLIAM
UMPHLETT, AND JOHN DOES 1-20,**

DEFENDANTS.

ORDER

This matter comes before the court upon Defendant Merck & Company, Inc.'s Motion to Stay All Proceedings Pending Transfer Decision by the Judicial Panel on Multidistrict Litigation [6]. After due consideration of the motion and the responses filed thereto, the court finds as follows, to-wit:

Because Merck has received neither a conditional nor final transfer order from the MDL Panel, and because the plaintiffs' motion to remand is currently pending, this court declines to grant Merck's motion to stay.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defendant Merck & Company, Inc.'s Motion to Stay All Proceedings Pending Transfer Decision by the Judicial Panel on Multidistrict Litigation [6] is **DENIED**; and

(2) Defendant Merck & Company, Inc. shall have until August 6, 2007 by which to file a response to the plaintiffs' motion to remand.

SO ORDERED this the 23rd day of July, A.D., 2007.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE